

**Application No. 10/611551**  
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**Amendment**  
**Attorney Docket No. S63.2B-10691-US01**

**Remarks**

This Amendment is in response to the Office Action dated April 7, 2006. In the Office Action, the abstract was objected to because it contains legal phraseology; claim 21 was objected to because of an informality; claims 1-3, 6-12, 14-15 and 21-24 were rejected under 35 USC 102(e) as being anticipated by Cox et al (US 2003/0212451); claims 11-13 and 16-18 were rejected under 35 USC 102(e) as being anticipated by Gunderson (US 2004/0204749); and claims 4-5 and 19-20 were rejected under 35 USC 103(a) as being unpatentable over Cox et. al. in view of Helgerson et al. (US 6,149,996).

For reasons presented herein, Applicant has traversed the rejections and respectfully asserts that the claims are in condition for allowance.

The paragraph numbers below correspond to those of the Office Action.

**1. Specification**

Applicant has amended the disclosure to remove the legal phraseology.

Withdrawal of the objection is requested.

**3. Claim Objection**

Applicant has amended claim 21 to correct the informality noted by Examiner.

Withdrawal of the objection is requested.

**5. 35 USC 102**

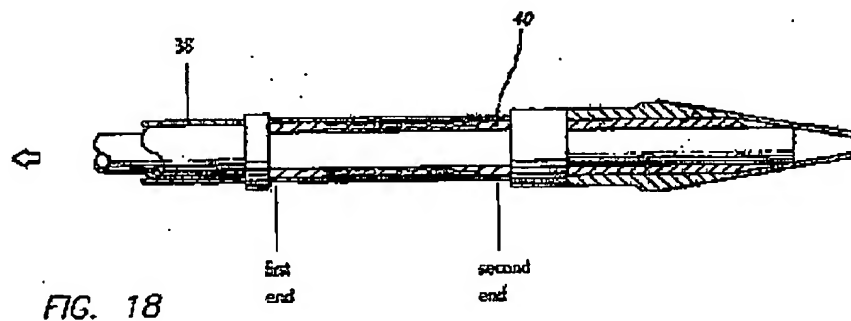
In the Office Action, claims 1-3, 6-12, 14-15 and 21-24 were rejected under 35

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USC 102(e) as being anticipated by Cox et. al. (US 2003/0212451). The Office Action asserts that Cox teaches or suggests a grip with a body region 40 having an outer diameter, a first end and a second end where the outer diameter of the first end being greater than the outer diameter of the second end. Applicant respectfully disagrees with this assertion.

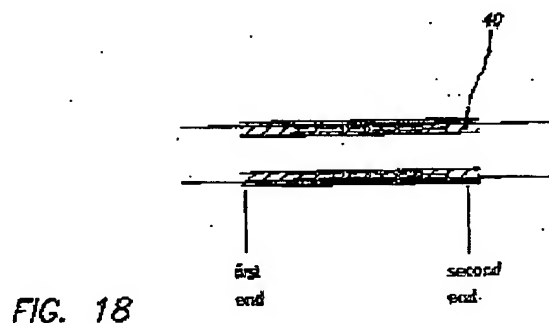
As illustrated in Fig. 18 of Cox, the stent holder 40 does not have a first end with an outer diameter greater than the outer diameter of the second end. A first annotated Fig. 18 of Cox, is shown below. The vessel and the stent has been removed from Fig. 18 so that body region 40 with its first end and second end can be clearly seen.



In the second annotated Fig. 18, below, the catheter assembly proximal to the first end and distal to the second end has been removed. In addition, lines extending proximally and distally from the outer diameter of the stent holder 40 have been drawn to illustrate that *the outer diameter of the first end is not greater than the outer diameter of the second end* of the stent holder 40, in contrast to what is recited in instant independent claims 1 and 11. Note that the shrink tubing 38 remains exterior to the outer surface of the stent holder 40.

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Therefore, because Cox does not teach or suggest all the elements of instant independent claims 1 and 11, claims 1 and 11 and claims 2-3, 6-10, 12, 14-15 and 21-24 which are dependent therefrom are in condition for allowance. Withdrawal of the rejection is respectfully requested.

6. 35 USC 102

In the Office Action, claims 11-13 and 16-18 were rejected under 35 USC 102(e) as being anticipated by Gunderson (US 2004/0204749). To further prosecution, claim 11 has been amended to recite "the outer diameter of the first end being greater than the outer diameter of the second end so that the outer diameter is substantially tapered from the first end to the second end." Gunderson does not teach a grip 10 where "the outer diameter of the first end being greater than the outer diameter of the second end so that the outer diameter is substantially tapered from the first end to the second end."

Because Gunderson does not teach all the elements of independent claim 11, claims 12-13 and 16-18 dependent therefrom are in condition for allowance. Withdrawal of the rejection is requested.

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9. 35 USC 103

In the Office Action, claims 4-5 and 19-20 were rejected under 35 USC 103(a) as being unpatentable over Cox et al in view of Helgerson et al. (US 6,149,996). As discussed above, Cox does not teach or suggest all the elements of instant independent claims 1 and 11, the addition of a cured molded tip having a Shore hardness of about 70A to 110A does nothing to address the failure of Cox to teach or suggest all the elements of instant independent claims 1 and 11.

Instant claims 4-5 are dependent from independent claim 1 and instant claims 19-20 are dependent from independent claim 37. It is recognized that dependent claims are non-obvious under section 103 if the independent claims from which they depend are non-obvious. *Hartness Int'l, Inc. v. Simplimatic Eng'g Co.*, 819 F.2d 1100, 1108, 2 USPQ2d 1826, 1831 (Fed. Cir. 1987); *In re Abele*, 684 F.2d 902, 910, 241 USPQ 682, 689 (CCPA 1982); see also *In re Sernaker*, 702 F.2d 989, 991, 217 USPQ 1, 3 (Fed. Cir. 1983).

Withdrawal of the rejection is respectfully requested.

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**Conclusion**

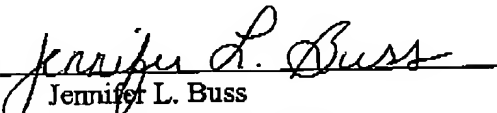
In light of the above comments, claims 1-24 are believed to be in condition for allowance. Notification to that effect is respectfully requested.

Respectfully submitted,

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